

**LABOR AND EMPLOYMENT LAW SECTION**  
**STATE BAR OF CALIFORNIA**

**2009 COMPETITION**  
**For Outstanding Student Papers**  
**In the Area of Labor and Employment**

The Labor and Employment Law Section of the State Bar of California is pleased to announce its 2009 Competition for Outstanding Student Papers in the Area of Labor and Employment law.

**PRIZES**

**FIRST PRIZE:** \$2,000, a trip from any California location for the student winner to attend the Section's Annual Fall Meeting, and a one-year student membership in the Labor and Employment Law Section. The first prize paper will be published in the California Labor and Employment Law Review, the Section's journal, which is circulated to labor and employment lawyers statewide.

**SECOND PRIZE:** \$1,000 and a one-year student membership in the Labor and Employment Law Section.

**HONORABLE MENTION:** \$500 and a one-year student membership in the Labor and Employment Law Section.

All eligible law students who enter the writing competition will receive a one-year student membership in the Labor and Employment Law Section. Membership includes a subscription to the California Labor and Employment Law Review as well as a free searchable CD-ROM containing past issues of the Review.

**CONTEST RULES**

**PLEASE WRITE ON THE FOLLOWING QUESTION:**

When, if ever, does an employer's use of a "no convictions" and/or a "no arrests" hiring policy violate the Fair Employment & Housing Act, Gov't Code §12900, *et seq.*?

Students may wish to consult the following authorities for ideas: *El v. Southeastern Pennsylvania Transportation Authority*, 479 F.3d 232 (3d Cir. 2007); *Green v. Missouri Pacific Railroad Co.*, 523 F.2d 1290 (8th Cir. 1975); *Gregory v. Litton Systems*, 472 F.2d 631 (9th Cir. 1972); *Caston v. Methodist Medical Center of Ill.*, 215 F. Supp. 2d 1002 (C.D. Ill. 2002); EEOC, Compliance Manual, §15 "Race and Color Discrimination" (April 19, 2006), available at <<http://www.eeoc.gov/policy/docs/race-color.html>>; EEOC, Policy Guidance on the Consideration of Arrest Records in Employment Decisions under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et seq.* (Sept. 7, 1990), available at <[http://www.eeoc.gov/policy/docs/arrest\\_records.html](http://www.eeoc.gov/policy/docs/arrest_records.html)>; Cal. Labor Code §§432.7, 432.8.

### **ELIGIBILITY**

To be eligible for consideration, the paper must be written solely by a student enrolled in a California law school at the time he or she writes the paper.

### **SUBMISSION**

Submit your paper by e-mail attachment in Word or WordPerfect formats to Section Coordinator Susan Orloff at [Susan.Orloff@calbar.ca.gov](mailto:Susan.Orloff@calbar.ca.gov). Papers must be e-mailed on or before September 1, 2009. Please also attach a cover letter verifying your law school enrollment and authorizing the Section to publish your paper in the California Labor and Employment Law Review if it is declared the winner. Please follow the citation style of *The Blue Book: A Uniform System of Citation*. Papers should be no longer than 2,500 words.

### **JUDGING**

The papers will be judged on the quality of legal research, writing and analysis. The decision of the judges is final. Papers must be of publishable quality, and the Section reserves the right not to award any prizes, if, in the sole opinion of the judges, none of the papers is of publishable quality or meet the standards set forth above.

For information about the Labor and Employment Law Section see: [www.calbar.org/laborlaw](http://www.calbar.org/laborlaw)